

Macron and Rutte: intergovernmentalism 2.0





By Leo Klinkers

At the beginning of 2019, the Dutch prime minister Mark Rutte put away his dislike of the European Union. He no longer argues that Brussels should stop taking on more and more power. In his 'Churchill Lecture' (Zürich, 13 February 2019) he argues for more powers for the European Council to speak with one voice. It was his third pro-Europe lecture in a few months. Lectures in Berlin and Strasbourg preceded it in 2018.

The Dutch prime minister starts by honouring Churchill but does not say a word about the essence of his lecture in September 1946. Churchill then emphatically underlined the need for the countries on the European continent to establish the federal United States of Europe. Rutte does not mention this. The word 'federation' does not appear in his lecture. Not even the concept of 'intergovernmentalism'. However, he does speak of 'multilateralism' in order to express his desire to perpetuate the current intergovernmental EU system of government.

For the record, I would like to describe two key concepts:

inside, that's what it's all about.

the others."

tends towards an oligarchy.

normative powers are given to administrators without them having to account for the executing of these powers to a transnationally elected parliament; • a federation is based on a constitution of the people of the member states, whereby vertical separation of powers leads to

• intergovernmentalism is policy-based cooperation between governments – based on a treaty or an agreement – in which

shared sovereignty between member states and a federal body. This body takes care of a limitative range of common interests that individual member states cannot (or can no longer) take care of on their own. The member states do not lose their sovereignty and are given some extras, among which the care of common interests. The common thread of Rutte's speech is: away with the naivety of the 'soft power' of principles and values; instead, with the

'hard power' of realpolitik going to search for power; not afraid to acquire that power through inflexible trade policies in

order to bring EU-geopolitics into line with China and the United States. Under the safe custody of America, Europe –

according to Rutte – has for too long cherished itself in self-satisfied soft power. Although he stands for values such as democracy and human rights, he is prepared to acquire this power, if necessary, through fierce street battles. All in all, Rutte is now talking about 'Europe first'. In his opinion, this can only be achieved by enabling the administrative part of 'Brussels' to take a stand both externally (i.e. geopolitically) and internally (i.e. in the

multilateral system of the member states). More decision-making power of EU administrators to the outside and to the

In his opinion, this decision-making power should be achieved by exchanging the unanimity principle of decision-making in the European Council on specific issues, such as the imposition of sanctions on other countries (Russia, Syria and Iran), for a majority principle. This means: taking decisions in the administrative European Council by a majority of votes and not on the basis of unanimity, whereby a veto by one of the member states can block the decision-making process.

There is nothing against abolishing the principle of unanimity in the European Council. It is a retarded way of making

decisions because - with a threat of veto - votes are exchanged in the sense that 'if you support me on this issue, then I

operate on the basis of protectionism. It is not the common interest of the total, but preventive damage control of one's

Macron pointed to the need to reconstruct the EU. In order to sharpen and link six EU policy priorities in such a way, the

European Union could finally become a power on the geopolitical stage. To this end, he proposed a refoundation of the EU

with a group of representatives of each Member State, plus a new treaty, aimed at strengthening the decision-making of

support you on your issue'. Sticking to unanimous voting is an instrument for nationalist-oriented heads of government, who

own nation determines their position in the decision-making process. However, Rutte's proposal to break through the unanimity principle is not motivated by the importance of saying goodbye to a backward decision-making system, but to concentrate more decision-making power in the hands of a small number of members of the European Council. To understand this, we should go back to president Emmanuel Macron's Sorbonne speech in September 2017.

the top of the EU system, the European Council. But any builder can tell you that foundation and refounding should happen at the bottom, at the base, not at the top. The only relevant form of refounding is to exchange the EU's legal basis, namely the intergovernmental Treaty of Lisbon, for a federal Constitution. The Netherlands is a member of about 53 intergovernmental organisations. It is not a problem to enter into intergovernmental memberships on the basis of a treaty or an agreement. But as soon as such organisations have normative powers vis-à-vis

intergovernmental systems of government. The sting, however, is in the instrument that Macron needs in order to gain global power and influence in these six policy areas. By close reading it shows that, according to Macron, the possibility of blocking decision-making in the European

citizens, the democratic representation of those citizens should be the measure of the day. This is never the case with

Council must be brought to an end. He implicitly claims: 'abolish the principle of unanimity in the European Council'.

A year and a half later Rutte is saying, explicitly: 'let us break open the principle of unanimity'. His lecture of 13 February

2019 is therefore an extension of Macron's Sorbonne lecture in September 2017. By exchanging the principle of unanimity for a majority system, both want to put the administrative power in the hands of those who already possess directing power, but who can be hindered in executing that power by colleagues who use, or threaten to use, their right of veto, thus blocking the decision-making process. To avoid you thinking I'm just fantasizing, I'll give you some literal quotes from Macron's speech:

• "We've got to make progress on all our major challenges, quickening the pace and setting our sights higher. No State must be excluded from the process, but **no country must be able to block** those wanting to make faster progress or

- forge further ahead." • "Let me say, going back to what Mario Monti and Sylvie Goulard proposed a few years ago: the idea that whoever wants the least can block the others is a heresy. We must accept these many differences and, as at every key moment in its
- history, Europe will move forward first of all through the determination of a few." • "In the same way, we should not define a closed club for those who could be members of it, let's define the way forward, the method, and all those who have the ambition, desire and power will be in it, without blocking or stopping
- But there is more to it than just his desire to remove the possibility of blocking decision-making in the European Council. Take another good look at 'through the determination of a few'. What does that remind us of? To Jean-Jacques Rousseau

at the end of the 18th century. He explained that a parliament always behaves like an elective aristocracy, which always

The European Council is the opposite of a representation of the people and already operates as an aristocracy under the Treaty of Lisbon. It is the nature of such a body to strive for concentrating administrative power. Macron – who grew up in France's typical centralistic administrative culture – wants a vanguard of a few government leaders, an oligarchy within the European Council, to push majority decisions through the Council.

individuals like Macron and Rutte. They are 'two of a kind'. One person does the assist and the other knocks the ball in the goal because he's in the right place at the right time. They do that automatically, as a two-unit. This is how they are put together. Their DNA, by definition, directs them in the direction of an administrative position. Not in that of a representative of the people. And they even think - no doubt sincerely - that they represent the people in their striving for more administrative power for a smaller group of decision-makers. In view of what is happening on the basis of rebellious France, Macron should know better by now.

The 're-founding' of the EU envisaged by Macron by lifting potential blockages within the European Council and supported

intergovernmental administrative power, b) even further outside the democratic control of the European Parliament. This is

by Rutte by explicitly calling into question the principle of unanimity, is a quantum leap that a) places even more

Before you suspect me of a conspiracy theory, I would like to draw your attention to the administrative uniformity of

the birth of intergovernmentalism 2.0. At this point I cannot ignore jargon of a systems theoretical / cybernetic nature. Although extremely short. We are dealing here with an example of 'positive feedback'. The basic error, i.e. the introduction of European intergovernmentalism from the ECSC in 1951 by means of a wrong goal-means relationship, gradually created more problems than solutions. Attempts to repair

problems resulting from a system error never solve anything, but rather increase the number of problems such as the series 2-

4-8-16 and so on. While 'negative feedback' is the universal goal-finding mechanism through the systematic elimination of

deviations within political decision-making processes, 'positive feedback' acts cause an exponential strengthening of the deviation. This makes it easy to predict that increasing internal conflicts will bring the intergovernmental EU to the abyss. Implementing majority decision-making in the European Council, without first creating a democratic basis for a federal constitution, is such an increase in the already illegitimate administrative power of the European Council that this system will collapse. 'Illegitimate' in this context means: not according to constitutional principles. It is a recipe for conflict within the European Council, between the European Council and the European Parliament and between member states. Countries that have major problems with the euro, other countries that oppose immigration, yet others that do not want to

be corrected if they violate the Treaty and further agreements will not want to give up the principle of unanimity. If only

because a majority system – albeit designed by Rutte to speed up sanctions against countries outside the EU – can also be

used against them if they do not comply with the Treaty of Lisbon. Think not only of anti-immigration member states, but also of the member states that, under the leadership of the Netherlands, are resisting a budgetary foundation under the Eurozone. In this way, Rutte, with his own ambition as a street fighter, organises his own Waterloo. The greater the internal division, the easier it is for the nationalist-right to grab hold of power. On page 45 of the 'Seventh Report on Racism, Anti-Semitism and Extreme Right Violence in the Netherlands' (December 2018), the Verwey-Jonker Institute mentions a statement by the member of the Dutch parliament Thierry Baudet, stating that "... it would be best if we were absolute rulers. In parliamentarianism it is not possible to implement major policy changes". Given the rise of the nationalist-right in Europe, we must assume that his vision is shared in other countries. The Weimar Republic taught us that the path of a strong man is paved by previous bad governance. Intergovernmentalism 2.0 offers exactly the same picture.

Leo Klinkers - Editor

Leo Klinkers graduated in 1968 from the Faculty of Law at the University of Utrecht in the Netherlands. After a few years

I do not suspect Macron and Rutte of nationalistic-right sympathies. But of a culpable lack of knowledge that a federal

Europe, based on a federal constitution and therefore with a democratic mandate, is the only form of state with which they

working in local government, he became responsible for research and education in public administration at the Law Faculty of

Utrecht from 1971 until 1983. He wrote his Ph.D. thesis in 1974 on open access to Government documents. Between 1971 and 1983 Leo Klinkers developed a method for interactive bottom-up policymaking. This methodology has been published in a number of books and articles and applied in many projects in the Netherlands and abroad.

can realise their plans for furthering common European interests.

administrating system of the EU should be replaced by a federal system and thus creating The United States of Europe, making America Europe's little brother. He is actually a co-founder and member of the Promoting Committee of FAEF (Federal Alliance of European Federalists) Mr. Macron's Image: Copyleft [CC BY 4.0 (https://creativecommons.org/licenses/by/4.0)] **Previous Post** Next Post -Brexit is not a solution. A European Federation is More European integration?

Since 1983 he has worked as an independent consultant in public administration in several countries, as well as for the EU and

He recently finished his last book 'Sovereignty, Security and Solidarity, arguing why and how the present intergovernmental

the UN. In 2013 he was co-author of the 'European Federalist Papers' with Herbert Tombeur.

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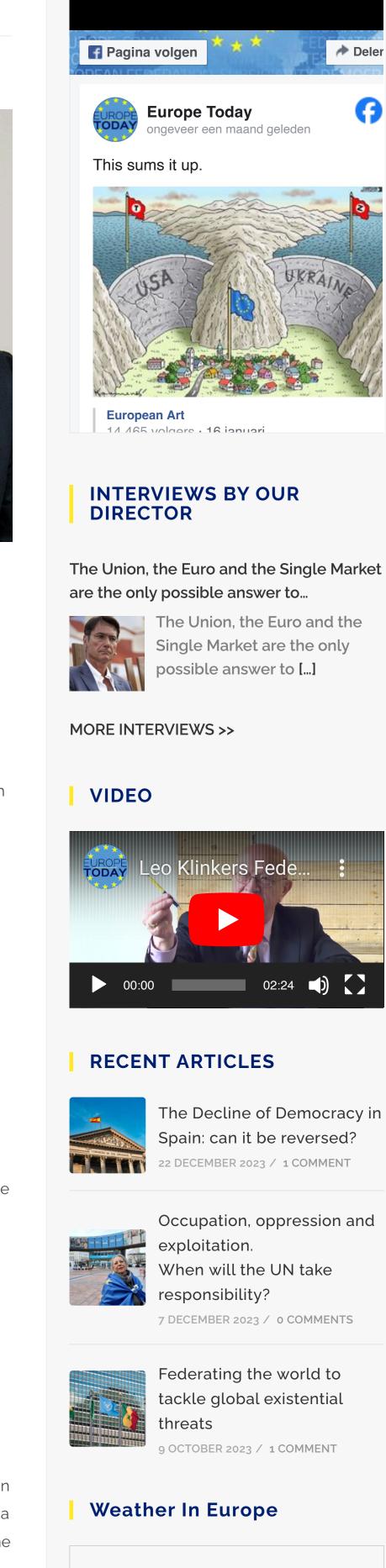
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thank you for your nice analysis. how can we progress towards a true federalism to protect our Europe

that is and remains the part of the most beautiful world and the one where the citizens are more free?

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